IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Corboy   Art Unit : 2178
Serial No. : 08/866,857   Examiner : Cong-Lac Huynh
Filed   : May 30, 1997
Title   : ENCAPSULATED DOCUMENT AND FORMAT SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.131

I, David Corboy, hereby declare as follows:

1.   I have read and understood the text of U.S. Application No. 08/866,857 (the '857 application), which discloses an invention for which I am the inventor.

2.   On or prior to April 6, 1997, I implemented and practiced the methods and computer systems described in paragraph 6 of this document.

3.   The attached pages are photocopies of:

a) A redacted draft patent application dated at least as early as April 6, 1997 (Exhibit 1) describes an encapsulated document and format system. The '857 application includes figures and description that includes features described by the draft application.

The system described in Exhibit 1 corresponds to the methods and computer systems claimed in the '857 application.

4.   The draft patent application listed in paragraph 6 was produced or written by me and/or produced or written at my direction by my patent attorney on or prior to April 6, 1997. The draft patent application was produced in the ordinary course of business in the United States.

5.   The system described in the draft patent application of Exhibit 1 includes the method and computer system described in paragraph 6 of this document.

6. With respect to independent claims 1 and 10 of the '857 application, I implemented and practiced a method and a computer system that received a stream including a file that integrates media content with choreography information within each of at least two objects of the file (e.g., Exhibit 1 at page 3, line 22 to page 4, line 2; page 4, lines 8-13; page 4, line 23 to page 5, line 7; page 8, lines 5-20). Each of the objects included media content data and choreography information associated therewith (e.g., Exhibit 1 at page 18, lines 8-19). The choreography information included data indicating an author-designated relationship between the objects of the file that defines an author-designated temporal order of presentation between the objects (e.g., Exhibit 1 at page 18, lines 13-19). Before all objects of the file were received, the method and computer system began to render media content encapsulated within the file based on the choreography information associated with objects received (e.g., Exhibit 1 at page 3, lines 11-17; page 17, line 23 to page 18, line 7; page 22, lines 11-19). Display of the objects received was enabled based on the temporal order defined by the choreography information (e.g., Exhibit 1 at page 18, lines 13-19). The temporal order was maintained independent of a recipient or a web server and independent of a bandwidth of a communications channel used to send the multimedia document (e.g., Exhibit 1 at page 17, line 23 to page 19, line 19).

Also, with respect to independent claim 100, I implemented and practiced a method that received specification of media content by an author and received designation by the author of choreography information that indicates at least an intended order of presentation for the specified media content was received (e.g., Exhibit 1 at page 22, lines 11-19). A single file that integrated the media content with the choreography information was generated (e.g., Exhibit 1 at page 3, line 22 to page 4, line 2; page 4, lines 8-13; page 4, line 23 to page 5, line 7; page 8, lines 5-20). Generating the single file included encapsulating within the single file at least two objects, where each object included media content data and choreography information associated therewith (e.g., Exhibit 1 at page 18, lines 8-19). The choreography information included data defining an author-designated relationship between the objects of the single file that defined an author-designated temporal order of presentation between the objects (e.g., Exhibit 1 at page 18,

lines 13-19). Before all objects of the file were received by a recipient, the method enabled the recipient to begin rendering the media content encapsulated within the file according to the temporal order defined by the choreography information associated with objects received (e.g., Exhibit 1 at page 3, lines 11-17; page 17, line 23 to page 18, line 7; page 22, lines 11-19). The temporal order was maintained independent of a recipient or a web server (e.g., Exhibit 1 at page 17, line 23 to page 19, line 19).

The method, computer program and apparatus also implemented the subject matter of dependent claims 2-9, 11, 13-16, 31-50, 63-66, and 101-109 of the '857 application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Signed and Declared at _AOL'S STERLING, VA CAMPUS ON BRODERICK DRIVE_ this _19TH_ day of March, 2004
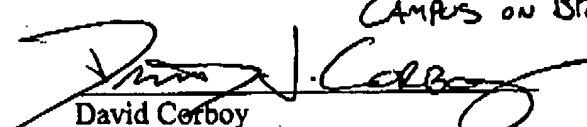
David Corboy

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